



REMARKS

Summary of the Office Action

Claims 1-4, 6, 7, 10, 11, 13, 15-18, 20-25, 27-29, 31, 33, 35, 37, 39, 41, 43 and 45 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yoshio et al. (U.S. Patent No. 6,215,952) (hereinafter “Yoshio”).

Claims 8, 12, 14 and 26, while objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form.

Summary of the Response to the Office Action

Applicants have amended claims 1, 7, 11, 13, 15, 21, 23, 25 and 27 to differently describe embodiments of the disclosure of the instant application. Accordingly, claims 1-4, 6-8, 10-18, 20-29, 31, 33, 35, 37, 39, 41, 43 and 45 currently remain pending for consideration.

Rejection under 35 U.S.C. § 102(e)

Claims 1-4, 6, 7, 10, 11, 13, 15-18, 20-25, 27-29, 31, 33, 35, 37, 39, 41, 43 and 45 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yoshio. Applicants have amended claims 1, 7, 11, 13, 15, 21, 23, 25 and 27 to differently describe embodiments of the disclosure of the instant application’s specification. To the extent that these rejections might be deemed to apply to the claims as newly-amended, they are respectfully traversed for at least the following reasons.

Applicants have amended independent claim 1 to refer to advantageous features in that “said different kinds of recording information, which is recording units independent of each

other to be reproduced by the integrated reproducing procedure information, comprises any of video information with associated audio information, only audio information, and data information.” In other words, video information with associated audio information, only audio information, and data information are recording units independent of each other to be reproduced by the integrated reproducing procedure information.

Applicants respectfully submit that in an embodiment of the disclosure of the instant application, video information and audio information are controlled and reproduced by different control information and data information is transmitted to the outside for processing. See, for example, page 65, lines 10-13 of the instant application’s specification which explains that “[f]urther, when demodulation signal Spd includes the data information, the demultiplexer 17 passes the demodulation signal Spd intact, and outputs data information Sdu to an external computer (not shown) or the like.”

As mentioned previously, video information and associated audio information, only audio information, and data information are recording units that are independent of each other to be reproduced by the integrated reproducing procedure information.

Concerning the relationship between the above-discussed features and the applied Yoshio reference, the Examiner stated, at page 3, last 5 lines of the Office Action, the following:

“c) wherein the different kinds of recording information comprises any of the video information with associated audio information, only audio information, and data information (col. 1, line 64 to col. 11, line 22, and col. 3, lines 15-39), here the video recording information has the video information and control (data) information which comprises access information to access the video information.”

Applicants respectfully submit that the applied Yoshio reference discloses video information, audio information, and control information. In the Office Action, the Examiner applies the “control information” disclosed in Yoshio as the “data information” in independent claim 1 of the instant application.

Applicants respectfully traverse such an assertion at least because the control information disclosed in Yoshio is control information for controlling video information and/or audio information, and is not information independent of video information and/or audio information.

Accordingly, newly-amended independent claim 1 now recites a combination including entirely different features from those disclosed in Yoshio.

Similar features have been added to the remaining independent claims 7, 11, 13, 15, 21, 23, 25 and 27. Accordingly, similar arguments as set forth above with regard to newly-amended independent claim 1 also apply to newly-amended independent claims 7, 11, 13, 15, 21, 23, 25 and 27.

Accordingly, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because Yoshio does not teach or suggest each feature of independent claims 1, 7, 11, 13, 15, 21, 23, 25 and 27, as amended. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Furthermore, Applicants respectfully assert that the dependent claims are allowable at least because of their dependence from independent claim 1, 7, 11, 13, 15, 21, 23, 25 or 27, as amended, and the reasons set forth above.

The Examiner is thanked for the indication that claims 8, 12, 14 and 26, while objected to as being dependent on rejected base claims, would be allowable if rewritten in independent form. However, Applicants respectfully submit that claim 8, 12, 14 and 26 are also allowable at least because of their dependence from independent claims 7, 11, 13 and 25, respectively. Withdrawal of the objections to claims 8, 12, 14 and 26 are thus respectfully requested.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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